

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 2:16cr36

GERALD ANDREW DARBY


ORDER

The Court has been advised that **GERALD ANDREW DARBY** (“Defendant”) wishes to enter a plea of guilty. A United States Magistrate Judge is hereby authorized, with the consent of the Defendant, to conduct proceedings required by Federal Rule of Criminal Procedure 11 incident to the making of the plea. See 28 U.S.C. 636(b)(3); United States v. Dees, 125 F.3d 261 (5th Cir. 1997) (finding that “the taking of a guilty plea is a permissible ‘additional duty’ for a magistrate judge under” the Magistrate Act, 28 U.S.C. § 636(b)(3)), cert. denied 522 U.S. 1152 (1998). The Defendant may consent to the United States Magistrate Judge conducting the proceedings on a form provided by the Clerk.

If, after conducting such proceedings, the Magistrate Judge accepts the plea of guilty and the associated plea agreement, a presentence investigation shall be conducted and a report will be prepared pursuant to Rule 32 of the Federal Rules of Criminal Procedure, and a sentencing date shall be scheduled. If the plea of guilty is accepted, the District Judge will adjudicate guilt at the sentencing hearing and will determine and impose sentence.

The Clerk is **DIRECTED** to deliver a copy of this Order to all Counsel of Record in the case.

IT IS SO ORDERED.



Robert G. Doumar
Senior United States District Judge

UNITED STATES DISTRICT JUDGE

Norfolk, VA
August Sept 7, 2016